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Docket No. 1919/60390-IA/JPW/GJG/NDP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Arlindo L. Castelhana et al.

Serial No. : 10/718,280

GROUP ART UNIT: 1624

Filed : November 20, 2003

EXAMINER: A. Pryor

For : COMPOUNDS SPECIFIC TO ADENOSINE A₁ RECEPTOR AND
USES THEREOF

1185 Avenue of the Americas
New York, New York 10036
March 1, 2005

BY FACSIMILE 703-872-9306

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

Sir:

**SECOND PRELIMINARY AMENDMENT, SUBMISSION OF TERMINAL
DISCLAIMER AND CONFIRMATION OF FEBRUARY 28, 2005 TELEPHONE
CONFERENCE WITH EXAMINER**

This Communication confirms a February 28, 2005 telephone conference between Examiner A. Pryor and the undersigned during which Examiner Pryor indicated that the subject application would be allowed if applicants authorize the cancellation of claims 51-54.

In response, Applicants are filing this Second Preliminary Amendment to cancel claims 51-54 without prejudice to applicants' right to pursue the subject matter of these claims in a related application.

In addition, Applicants attach hereto as ~~Exhibit A~~ a Terminal Disclaimer signed by Neil Gibson of OSI Pharmaceuticals, Inc., in connection with the above-identified application. OSI Pharmaceuticals, Inc. is an assignee of the subject

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application by virtue of an assignment from Arlindo L. Castelhana, Bryan McKibben and David J. Witter.

The attached Terminal Disclaimer disclaim the terminal portion of the term of any patent issued from the subject application which would extend beyond the expiration date of the full statutory term of a patent issued from the parent of the subject application, U.S. Serial No. 10/000,280, now U.S. Patent No. 6,680,324, issued January 20, 2004.

Applicants hereby request that the following amendment to the claims and terminal disclaimer be entered in the subject application.

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MESSAGE:

AMENDMENT AND CONFIRMATION OF FEBRUARY 28, 2005 TELEPHONE CONFERENCE WITH EXAMINER, in connection with Application Serial No. 10/718,280, filed November 20, 2003.

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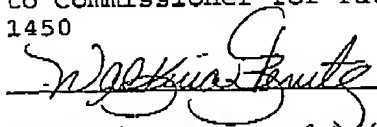
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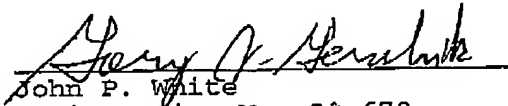
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IN CONNECTION WITH THE ABOVE-IDENTIFIED APPLICATION

Date of Facsimile: March 1, 2005. I hereby certify that this paper is being transmitted to the Assistant Commissioner for Patents on the date indicated above by facsimile and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



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Respectfully submitted,



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